

## REMARKS/ARGUMENT

1) Claims 1-25 stand rejected under 35 U.S.C. 102(e) as being anticipated by Gilhousen U.S. Patent 6,433,740 B1. By this amendment, Claims 1-25 have been amended (directly or indirectly) to overcome the Gilhousen reference as set forth below.

In order that the rejection of any of Claims 1-25 to be sustainable, it is fundamental that "each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 1, as amended, requires and positively recites, a position location system, comprising: "non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals each including **a synchronization signal locked to a common time**" and "an **apparatus** for receiving said broadcast signals **and calculating the location of said apparatus using time differences detected amongst respective ones of said received synchronization signals**".

Independent Claim 10, as amended, requires and positively recites, a position location system, comprising: "broadcast signals with **common synchronization from at least one satellite and rebroadcast from three or more known terrestrial re-**

**transmitter locations” and “an apparatus for receiving said rebroadcast signals and calculating the location of said apparatus using time differences detected in synchronization between respective ones of said received rebroadcast signals”.**

Independent Claim 11, as amended, requires and positively recites, a method for locating an electronic device, comprising the steps of: “receiving non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals **each having a synchronization signal locked to a common time when transmitted**” and “calculating the location of said electronic device **using time differences detected amongst respective ones of said synchronization signals** in said received broadcast signals”.

Independent Claim 20, as amended, requires and positively recites, a method for locating an electronic device, comprising the steps of: “receiving broadcast signals from three or more terrestrial transmitter locations, **each of said broadcast signals being a retransmission with common synchronization of a signal previously transmitted by a satellite**” and “calculating the location of said electronic device **using time differences detected in synchronization between respective ones of said received broadcast signals**”.

Independent Claim 21, as amended, requires and positively recites, “an electronic apparatus enabled to receive non-DTV broadcast signals transmitted from known transmitter locations in which **said broadcast signals each include a synchronization signal locked to a common time at time of transmission** and further enabled to calculate the location of said apparatus **using time differences detected amongst respective ones of said synchronization signals in said received broadcast signals**”.

New independent Claim 26 requires and positively recites, “an electronic apparatus enabled to receive broadcast signals from three or more terrestrial transmitter

locations, each of said broadcast signals being **a retransmission with common synchronization of a signal previously transmitted by a satellite**, and further enabled to calculate the location of said apparatus **using time differences detected in synchronization between respective ones of said received broadcast signals**".

New independent Claim 27 requires and positively recites a position location system, comprising: "at least three transmitters in which the location of each of the transmitters is known", "non-DTV broadcast signals transmitted from said known transmitter locations, said broadcast signals **each including a synchronization signal locked to a common time**" and "an **apparatus** for receiving said broadcast signals and calculating the location of said apparatus **using time differences detected amongst respective ones of said received synchronization signals**".

New independent Claim 28 requires and positively recites a position location system, comprising: "at least three transmitters **for rebroadcasting a broadcast signal from a satellite** in which the location of each of the transmitters is known, said rebroadcast signal transmitted from any one of said three transmitters **being commonly synchronized with the rebroadcast signals transmitted from the other transmitters**" and "an **apparatus** for receiving said rebroadcast signals and calculating the location of said apparatus **using time differences detected in synchronization between respective ones of said received rebroadcast signals**".

In contrast, Gilhousen discloses one embodiment (column 5, lines 40-65) in which base stations have GPS receivers that are synchronized to universal coordinated time (UTC). Applicant respectfully points out that this embodiment does not teach or suggest "broadcast signals", as is required in Claims 1, 10, 11, 20, 21 and 26-28. In another embodiment, Gilhousen substituting the use of universal coordinated time (UTC) with using phase measurements of television broadcast signals at different base stations in order to determine synchronization (column 5, line 66 – column 6, line 9). As a result, when utilizing

“broadcast signals”, Gilhousen fails to teach or suggest that each of the television broadcast signals must be “commonly synchronized” at the time of transmission. As such, Gilhousen fails to teach or suggest, “non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals each including **a synchronization signal locked to a common time**”, as required by Claim 1, or “broadcast signals with **common synchronization from at least one satellite and rebroadcast from three or more known terrestrial re-transmitter locations**”, as required by Claim 10, or “receiving non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals **each having a synchronization signal locked to a common time when transmitted**”, as required by Claim 11, or “receiving broadcast signals from three or more terrestrial transmitter locations, **each of said broadcast signals being a retransmission with common synchronization of a signal previously transmitted by a satellite**”, as required by Claim 20, or “an electronic apparatus enabled to receive non-DTV broadcast signals transmitted from known transmitter locations in which **said broadcast signals each include a synchronization signal locked to a common time at time of transmission ...**” as required by Claim 21, or “an electronic apparatus enabled to receive broadcast signals from three or more terrestrial transmitter locations, each of said broadcast signals being **a retransmission with common synchronization of a signal previously transmitted by a satellite, ...**”, as required by Claim 26, or “non-DTV broadcast signals transmitted from said known transmitter locations, said broadcast signals **each including a synchronization signal locked to a common time**”, as required by Claim 27, or “at least three transmitters **for rebroadcasting a broadcast signal from a satellite** in which the location of each of the transmitters is known, said rebroadcast signal transmitted from any one of said three transmitters **being commonly synchronized with the rebroadcast signals transmitted from the other transmitters**”, as required by Claim 28.

Further, Gilhousen teaches that it is the system controller (20) that determines the location of the mobile unit 10 (see Abstract, lines 1-20). Mobile unit 10 does not, and

cannot determine its own location. As a result, Gilhousen fails to teach or suggest, “an **apparatus** for receiving said broadcast signals **and calculating the location of said apparatus using time differences detected amongst respective ones of said received synchronization signals**”, as required by Claim 1, or “an **apparatus** for receiving said rebroadcast signals **and calculating the location of said apparatus using time differences detected in synchronization between respective ones of said received rebroadcast signals**”, as required by Claim 10, or “calculating the location of said electronic device **using time differences detected amongst respective ones of said synchronization signals** in said received broadcast signals”, as required by Claim 11, or “calculating the location of said electronic device **using time differences detected in synchronization between respective ones of said received broadcast signals**”, as required by Claim 20, or “an electronic apparatus ... and further enabled to calculate the location of said apparatus **using time differences detected amongst respective ones of said synchronization signals in said received broadcast signals**”, as required by Claim 21, or “an electronic apparatus ... and further enabled to calculate the location of said apparatus **using time differences detected in synchronization between respective ones of said received broadcast signals**” as required by Claim 26, or “an **apparatus** for receiving said broadcast signals and calculating the location of said apparatus **using time differences detected amongst respective ones of said received synchronization signals**”, as required by Claim 27, or “an **apparatus** for receiving said rebroadcast signals and calculating the location of said apparatus **using time differences detected in synchronization between respective ones of said received rebroadcast signals**”, as required by Claim 28. Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1, 10, 11, 20 and 21 over Gilhousen is overcome.

Claims 2-7, 9, 12-17, 19 and 22-25 stand allowable as depending from allowable claims and including further limitations not taught or suggested by the references of record.

Claim 2, as amended, requires and positively recites, the system of Claim 1, wherein said broadcast signals are analog signals with digital sub-carrier signals. Claim 2 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Moreover, Claim 2 is allowable since it further requires that the broadcast signals are analog signals **with digital sub-carrier signals**. Nowhere does Gilhousen teach or suggest that the television broadcast signals (col. 5, line 66 – col. 6, line 9) are analog signals **with digital sub-carrier signals**. Accordingly, Claim 2 stands allowable.

Claim 3 requires and positively recites the system of Claim 1, wherein said broadcast signals are digital signals. Claim 3 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Moreover, Claim 3 is allowable since it further requires that the **broadcast signals be digital signals**. Nowhere does Gilhousen teach or suggest that the television broadcast signals (col. 5, line 66 – col. 6, line 9) are **digital signals**. Accordingly, Claim 3 stands allowable.

Claim 4 requires and positively recites the system of Claim 3, wherein said digital signals are re-transmissions of satellite radio signals. Claim 4 stands allowable for the reasons set forth above in support of the allowance of Claim 3. Moreover, Claim 4 is allowable since it further requires that **the digital signals are re-transmissions of satellite radio signals**. While Gilhousen does disclose in one embodiment that the base stations can receive GPS signals from satellites (col. 5, lines 40-65) the embodiment of Gilhousen's invention that discloses television broadcast signals (col. 5, line 66 – col. 6, line 9) does not teach or suggest that the broadcast signals are **digital signals** nor does it further teach **that such digital signal are re-transmissions of satellite radio signals**. Accordingly, Claim 4 stands allowable.

Claim 5, as amended, requires and positively recites the system of Claim 1, wherein said apparatus is a cellular transceiver. Claim 5 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, there is no teaching or

suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 1 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 5 stands allowable.

Claim 6, as amended, requires and positively recites the system of Claim 5, wherein said cellular transceiver is a personal communicator. Claim 6 stands allowable for the reasons set forth above in support of the allowance of Claim 5. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claims 1 and 5 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 6 stands allowable.

Claim 7, as amended, requires and positively recites the system of Claim 1, wherein said apparatus receives broadcast signals from at least three transmitter locations. Claim 7 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 1 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 7 stands allowable.

Claim 9 requires and positively recites the system of Claim 1, wherein correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Claim 9 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, there is no teaching or suggestion in Gilhousen that correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Accordingly, Claim 9 stands allowable.

Claim 12, as amended, requires and positively recites the method of Claim 11, wherein said broadcast signals are analog signals with digital sub-carrier signals. Claim

12 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Moreover, Claim 12 is allowable since it further requires that the broadcast signals are analog signals **with digital sub-carrier signals**. Nowhere does Gilhousen teach or suggest that the television broadcast signals (col. 5, line 66 – col. 6, line 9) are analog signals **with digital sub-carrier signals**. Accordingly, Claim 12 stands allowable.

Claim 13 requires and positively recites the method of Claim 11, wherein said broadcast signals are digital signals. Claim 13 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Moreover, Claim 13 is allowable since it further requires that the **broadcast signals be digital signals**. Nowhere does Gilhousen teach or suggest that the television broadcast signals (col. 5, line 66 – col. 6, line 9) are **digital signals**. Accordingly, Claim 13 stands allowable.

Claim 14 requires and positively recites the method of Claim 13, wherein said digital signals are re-transmissions of satellite radio signals. Claim 14 stands allowable for the reasons set forth above in support of the allowance of Claim 13. Moreover, Claim 14 is allowable since it further requires that **the digital signals are re-transmissions of satellite radio signals**. While Gilhousen does disclose in one embodiment that the base stations can receive GPS signals from satellites (col. 5, lines 40-65) the embodiment of Gilhousen's invention that discloses television broadcast signals (col. 5, line 66 – col. 6, line 9) does not teach or suggest that the broadcast signals are **digital signals** nor does it further teach **that such digital signal are re-transmissions of satellite radio signals**. Accordingly, Claim 14 stands allowable.

Claim 15, as amended, requires and positively recites, the method of Claim 11, wherein said receiving non-DTV broadcast signals is enabled by an RF receiver in said electronic device. Claim 15 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Moreover, Claim 15 is allowable since it requires that said receiving non-DTV broadcast signals in enabled by an RF receiver **in said electronic**



**device.** Gilhousen, on the other hand, discloses that the broadcast signals are received by the respective base stations – NOT the subscriber mobile units 10-13. Accordingly, Claim 15 stands allowable.

Claim 16 requires and positively recites the method of Claim 11, wherein said electronic device is a cellular handset. Claim 16 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 11 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 16 stands allowable.

Claim 17, as amended, requires and positively recites the method of Claim 11, wherein said electronic device receives broadcast signals from at least three transmitter locations. Claim 17 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 11 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 17 stands allowable.

Claim 19 requires and positively recites the method of Claim 11, wherein correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Claim 19 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Further, there is no teaching or suggestion in Gilhousen that correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Accordingly, Claim 19 stands allowable.

Claim 22, as amended, requires and positively recites the apparatus of Claim 21, wherein said apparatus is a cellular transceiver. Claim 22 stands allowable for the reasons set forth above in support of the allowance of Claim 21. Further, there is no

teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 21 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 22 stands allowable.

Claim 23 requires and positively recites the apparatus of Claim 22, wherein said known locations are provided by a lookup table in communication with said transceiver. Claim 23 stands allowable for the reasons set forth above in support of the allowance of Claim 22. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to place a lookup table in communication with the electronic apparatus of Claim 22 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 23 stands allowable.

Claim 24 requires and positively recites the apparatus of Claim 23, wherein said lookup table is in a server responsive to the transceiver. Claim 24 stands allowable for the reasons set forth above in support of the allowance of Claim 23. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to place the lookup table in a server that is responsive to the transceiver in the electronic apparatus of Claim 23 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 24 stands allowable.

Claim 25 requires and positively recites the apparatus of Claim 23, wherein said lookup table is in said apparatus. Claim 25 stands allowable for the reasons set forth above in support of the allowance of Claim 23. Further, there is no teaching or suggestion in Gilhousen that would have led one having ordinary skill in the art to place a lookup table in the electronic apparatus of Claim 23 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 25 stands allowable.

2) Claims 1-25 stand rejected under 35 U.S.C. 102(e) as being anticipated by Engelbrecht et al. U.S. Patent 5,510,801. By this amendment, Claims 1-25 have been amended (directly or indirectly) to overcome the Engelbrecht et al. reference as set forth below.

In order that the rejection of any of Claims 1-25 to be sustainable, it is fundamental that "each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 1, as amended, requires and positively recites, a position location system, comprising: "non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals each including **a synchronization signal locked to a common time**" and "an apparatus for receiving said broadcast signals and calculating the location of said apparatus **using time differences detected amongst respective ones of said received synchronization signals**".

Independent Claim 10, as amended, requires and positively recites, a position location system, comprising: "broadcast signals with **common synchronization from at least one satellite and rebroadcast from three or more known terrestrial re-transmitter locations**" and "an apparatus for receiving said rebroadcast signals and

calculating the location of said apparatus **using time differences detected in synchronization between respective ones of said received rebroadcast signals**".

Independent Claim 11, as amended, requires and positively recites, a method for locating an electronic device, comprising the steps of: "receiving non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals **each having a synchronization signal locked to a common time when transmitted**" and "calculating the location of said electronic device **using time differences detected amongst respective ones of said synchronization** signals in said received broadcast signals".

Independent Claim 20, as amended, requires and positively recites, a method for locating an electronic device, comprising the steps of: "receiving broadcast signals from three or more terrestrial transmitter locations, **each of said broadcast signals being a retransmission with common synchronization of a signal previously transmitted by a satellite**" and "calculating the location of said electronic device **using time differences detected in synchronization between respective ones of said received broadcast signals**".

Independent Claim 21, as amended, requires and positively recites, "an electronic apparatus enabled to receive non-DTV broadcast signals transmitted from known transmitter locations in which **said broadcast signals each include a synchronization signal locked to a common time at time of transmission** and further enabled to calculate the location of said apparatus **using time differences detected amongst respective ones of said synchronization signals in said received broadcast signals**".

New independent Claim 26 requires and positively recites, "an electronic apparatus enabled to receive broadcast signals from three or more terrestrial transmitter locations, each of said broadcast signals being **a retransmission with common**

**synchronization of a signal previously transmitted by a satellite**, and further enabled to calculate the location of said apparatus **using time differences detected in synchronization between respective ones of said received broadcast signals**".

New independent Claim 27 requires and positively recites a position location system, comprising: "at least three transmitters in which the location of each of the transmitters is known", "non-DTV broadcast signals transmitted from said known transmitter locations, said broadcast signals **each including a synchronization signal locked to a common time**" and "an **apparatus** for receiving said broadcast signals and calculating the location of said apparatus **using time differences detected amongst respective ones of said received synchronization signals**".

New independent Claim 28 requires and positively recites a position location system, comprising: "at least three transmitters **for rebroadcasting a broadcast signal from a satellite** in which the location of each of the transmitters is known, said rebroadcast signal transmitted from any one of said three transmitters **being commonly synchronized with the rebroadcast signals transmitted from the other transmitters**" and "an **apparatus** for receiving said rebroadcast signals and calculating the location of said apparatus **using time differences detected in synchronization between respective ones of said received rebroadcast signals**".

In contrast, Engelbrecht et al. discloses a system in which different TV stations broadcast from different transmitter locations (i.e., TV station 1 broadcasts from location 1 at time 1; TV station 2 broadcasts from location 2 at time 2; and TV station N broadcasts from location N at time N (see Fig. 1). Engelbrecht specifically teaches:

- A) ... the TV stations derive all their timing related signal structure from a 3.579545 Mhz reference that is accurate to within 10 Hz and stable to within 1/10 Hz/sec (FCC requirement)(col. 2, lines 61-65).

- B) These two characteristics make the timing signals appear to “drift” relative to each other, and without knowledge of their timing offset and offset change, the location solution would “drift” (col. 2, line 65 – col. 3, line 1).
- C) The Reference Receiver 11 provides the necessary reference receiver correction data to achieve a stable location solution. Therefore, to make this data available to the receiver desiring location determination, there must be a communication link 12 to connect the source of the reference receiver correction data and the measurement data to the mobile receiver units 10 (col. 3, lines 1-7).

Englebrecht’s statement (A) above clearly shows that there is no common synchronization or common synchronizing signal amongst TV stations 1, 2 and N. While each of the transmitting station may derive all of its timing related signal structure from a 3.579545 Mhz reference, there will always be an inaccuracy, as best, of 10 Hz and stable to within 1/10 Hz/sec. Moreover, there is no teaching or suggestion that the selected reference is locked to TV stations 1, 2 and N at the same time. As a result, while a common frequency may be common to TV stations 1, 2 and N, there is no teaching or suggestions that frequencies are locked to each other or that by selecting a common frequency, time is locked.

Indeed, Englebrecht’s statement (B) above is another admission that there is no common synchronization or locked synchronizing signal being transmitted by TV stations 1, 2 and N. Indeed, Englebrecht admits that the various synchronizing signals “drift” relative to each other (from station to station), and without knowledge of their timing offset and offset change, the location solution would “drift” (col. 2, line 65 – col. 3, line 1). Again, this clearly shows that there is no common synchronization or locked synchronizing signal amongst the broadcast signals transmitted by TV stations 1, 2 and N.

Further, Englebrecht’s statement (C) above makes it clear that a reference receiver is required in order to provide a useful solution. Englebrecht specifically states that the

Reference Receiver 11 provides the necessary reference receiver correction data to achieve a stable location solution. Therefore, to make this data available to the receiver desiring location determination, there must be a communication link 12 to connect the source of the reference receiver correction data and the measurement data to the mobile receiver units 10 (col. 3, lines 1-7).

In view of the above, it should be clear that Englebrecht fails to teach or suggest, “non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals each including **a synchronization signal locked to a common time**”, as required by Claim 1, or “broadcast signals with **common synchronization from at least one satellite and rebroadcast from three or more known terrestrial re-transmitter locations**”, as required by Claim 10, or “receiving non-DTV broadcast signals transmitted from known transmitter locations, said broadcast signals **each having a synchronization signal locked to a common time when transmitted**”, as required by Claim 11, or “receiving broadcast signals from three or more terrestrial transmitter locations, **each of said broadcast signals being a retransmission with common synchronization of a signal previously transmitted by a satellite**”, as required by Claim 20, or “an electronic apparatus enabled to receive non-DTV broadcast signals transmitted from known transmitter locations in which **said broadcast signals each include a synchronization signal locked to a common time at time of transmission** ...” as required by Claim 21, or “an electronic apparatus enabled to receive broadcast signals from three or more terrestrial transmitter locations, each of said broadcast signals being **a retransmission with common synchronization of a signal previously transmitted by a satellite, ...**”, as required by Claim 26, or “non-DTV broadcast signals transmitted from said known transmitter locations, said broadcast signals **each including a synchronization signal locked to a common time**”, as required by Claim 27, or “at least three transmitters **for rebroadcasting a broadcast signal from a satellite** in which the location of each of the transmitters is known, said rebroadcast signal transmitted from any one of said three transmitters **being commonly synchronized with the rebroadcast**

**signals transmitted from the other transmitters”**, as required by Claim 28.

Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1, 10, 11, 20 and 21 over Englebrecht et al. is overcome.

Claims 2-7, 9, 12-17, 19 and 22-25 stand allowable as depending from allowable claims and including further limitations not taught or suggested by the references of record.

Claim 2, as amended, requires and positively recites, the system of Claim 1, wherein said broadcast signals are analog signals with digital sub-carrier signals. Claim 2 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Moreover, Claim 2 is allowable since it further requires that the broadcast signals are analog signals **with digital sub-carrier signals**. Nowhere does Englebrecht teach or suggest that the television broadcast signals ( $S_1$ ,  $S_2$ ,  $S_N$ ) are analog signals **with digital sub-carrier signals**. Accordingly, Claim 2 stands allowable.

Claim 3 requires and positively recites the system of Claim 1, wherein said broadcast signals are digital signals. Claim 3 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Moreover, Claim 3 is allowable since it further requires that the **broadcast signals be digital signals**. Nowhere does Englebrecht teach or suggest that the television broadcast signals ( $S_1$ ,  $S_2$ ,  $S_N$ ) are **digital signals**. Accordingly, Claim 3 stands allowable.

Claim 4 requires and positively recites the system of Claim 3, wherein said digital signals are re-transmissions of satellite radio signals. Claim 4 stands allowable for the reasons set forth above in support of the allowance of Claim 3. Moreover, Claim 4 is allowable since it further requires that **the digital signals are re-transmissions of satellite radio signals**. Englebrecht fails to teach or suggest any such teaching. Accordingly, Claim 4 stands allowable.



Claim 5, as amended, requires and positively recites the system of Claim 1, wherein said apparatus is a cellular transceiver. Claim 5 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, Englebrecht specifically teaches that RF receiver 10 is a TV receiver – NOT a cellular transceiver. Accordingly, Claim 5 stands allowable.

Claim 6, as amended, requires and positively recites the system of Claim 5, wherein said cellular transceiver is a personal communicator. Claim 6 stands allowable for the reasons set forth above in support of the allowance of Claim 5. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claims 1 and 5 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 6 stands allowable.

Claim 7, as amended, requires and positively recites the system of Claim 1, wherein said apparatus receives broadcast signals from at least three transmitter locations. Claim 7 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 1 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 7 stands allowable.

Claim 9 requires and positively recites the system of Claim 1, wherein correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Claim 9 stands allowable for the reasons set forth above in support of the allowance of Claim 1. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to add this additional limitation to the requirements of

Claim 1 without the improper hindsight provided by Applicants' disclosure.

Accordingly, Claim 9 stands allowable.

Claim 12, as amended, requires and positively recites the method of Claim 11, wherein said broadcast signals are analog signals with digital sub-carrier signals. Claim 12 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Moreover, Claim 12 is allowable since it further requires that the broadcast signals are analog signals **with digital sub-carrier signals**. Nowhere does Englebrecht teach or suggest that the television broadcast signals ( $S_1$ ,  $S_2$ ,  $S_N$ ) are analog signals **with digital sub-carrier signals**. Accordingly, Claim 12 stands allowable.

Claim 13 requires and positively recites the method of Claim 11, wherein said broadcast signals are digital signals. Claim 13 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Moreover, Claim 13 is allowable since it further requires that the **broadcast signals be digital signals**. Nowhere does Englebrecht teach or suggest that the television broadcast signals ( $S_1$ ,  $S_2$ ,  $S_N$ ) are **digital signals**. Accordingly, Claim 13 stands allowable.

Claim 14 requires and positively recites the method of Claim 13, wherein said digital signals are re-transmissions of satellite radio signals. Claim 14 stands allowable for the reasons set forth above in support of the allowance of Claim 13. Moreover, Claim 14 is allowable since it further requires that **the digital signals are re-transmissions of satellite radio signals**. Englebrecht fails to teach or suggest any such teaching. Accordingly, Claim 14 stands allowable.

Claim 15, as amended, requires and positively recites, the method of Claim 11, wherein said receiving non-DTV broadcast signals is enabled by an RF receiver in said electronic device. Claim 15 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Accordingly, Claim 15 stands allowable.

Claim 16 requires and positively recites the method of Claim 11, wherein said electronic device is a cellular handset. Claim 16 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Further, Englebrecht specifically teaches that RF receiver 10 is a TV receiver – NOT a cellular handset. Accordingly, Claim 16 stands allowable.

Claim 17, as amended, requires and positively recites the method of Claim 11, wherein said electronic device receives broadcast signals from at least three transmitter locations. Claim 17 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to add this additional limitation to the requirements of Claim 11 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 17 stands allowable.

Claim 19 requires and positively recites the method of Claim 11, wherein correction of non-time locked broadcast signals is provided by a local monitoring unit "LMU". Claim 19 stands allowable for the reasons set forth above in support of the allowance of Claim 11. Accordingly, Claim 19 stands allowable.

Claim 22, as amended, requires and positively recites the apparatus of Claim 21, wherein said apparatus is a cellular transceiver. Claim 22 stands allowable for the reasons set forth above in support of the allowance of Claim 21. Further, Englebrecht specifically teaches that RF receiver 10 is a TV receiver – NOT a cellular transceiver. Accordingly, Claim 22 stands allowable.

Claim 23 requires and positively recites the apparatus of Claim 22, wherein said known locations are provided by a lookup table in communication with said transceiver. Claim 23 stands allowable for the reasons set forth above in support of the allowance of

Claim 22. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to place a lookup table in communication with the electronic apparatus of Claim 22 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 23 stands allowable.

Claim 24 requires and positively recites the apparatus of Claim 23, wherein said lookup table is in a server responsive to the transceiver. Claim 24 stands allowable for the reasons set forth above in support of the allowance of Claim 23. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to place the lookup table in a server that is responsive to the transceiver in the electronic apparatus of Claim 23 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 24 stands allowable.

Claim 25 requires and positively recites the apparatus of Claim 23, wherein said lookup table is in said apparatus. Claim 25 stands allowable for the reasons set forth above in support of the allowance of Claim 23. Further, there is no teaching or suggestion in Englebrecht that would have led one having ordinary skill in the art to place a lookup table in the electronic apparatus of Claim 23 without the improper hindsight provided by Applicants' disclosure. Accordingly, Claim 25 stands allowable.

3) Claims 1-25 stand rejected under 35 U.S.C. 102(e) as being anticipated by Connelly. U.S. Patent 4,555,707. Applicants respectfully traverse this rejection as being improper. More particularly, many reference numerals in Connelly's drawing figures do not match what is recited in the specification. As an example, Connelly discloses:

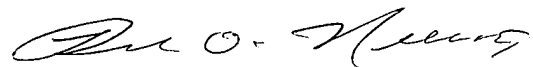
A receiving system 48 connected to a broadband receiving antenna 46; and means indicated by dashed lines 42 and 44 ... (col. 4, lines 56-58).

But reference to Fig. 1 clearly discloses: reference numeral 48 to be a sync separator – NOT a receiving system; reference numeral 46 to be a sync separator; reference numeral 42 to be a detector; and reference numeral 44 to be a detector – NOT dashed lines. Indeed, there are no dashed lines in Fig. 1.

In another example, Connelly identifies reference numerals 32, 36 and 40 as transmitting antennas. Yet Fig. 1 clearly associates 32 with a signal splitter, 36 with a tuner, and 40 with a detector. These are but a few of the errors in Connelly that make it almost impossible to figure out what Connelly is trying to teach. It is simply not fair to require applicants to SPECULATE as to what Connelly does or does not teach. Accordingly, Applicants request that the 35 U.S.C. 102(e) rejection of Claims 1-25 over Connelly be withdrawn, or, alternatively, the Examiner must go through and specifically identified which elements in Connelly are the equivalents of the recited elements in the pending application (including matching all textual and drawing figure references).

Accordingly, Claims 1-7, 9-17 and 19-28 stand allowable. Applicants respectfully request allowance of the application as the earliest possible date.

Respectfully submitted,



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